

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:10-cr-119
	:	Also Case No. 3:13-cv-137
Plaintiff,	:	
- vs -	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Michael R. Merz
DARYL STOLLINGS,	:	
Defendant.	:	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #102), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Motion to vacate is GRANTED and Defendant will be re-sentenced under the Fair Sentencing Act.

July 19 __, 2013.



Walter Herbert Rice
United States District Judge